

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KRISTOPHER KELLY NOLAN, et al.,

Defendant.


Case No. CR05-5547FDB

ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION
OF ORDER DENYING MOTION TO
DISMISS COMPLAINT

Before the court is Plaintiff's motion for reconsideration of the Order of the Honorable Judge J. Kelley Arnold of July 27, 2004 denying Plaintiff's motion to dismiss the complaint in this case. Motions for reconsideration are disfavored and the court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence. CrR 12(c)(11)(A). Plaintiff has shown neither.

Plaintiff seeks dismissal because it fears the "imposition of an artificially short period of time to further investigate the case." The grand jury returned an indictment in this case on one of the three charges submitted to it by the government. It is assumed the government investigated those charges prior to submitting them to the grand jury.

DATED this 8th day of August, 2005.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE